

Appl. No. 10/822,017

Amdt. Dated February 9, 2006

Reply to Office Action of January 9, 2006

### REMARKS

This is a full and timely response to the non-final Office action mailed January 9, 2006. Reexamination and reconsideration in view of the foregoing amendments and following remarks is respectfully solicited.

Claims 1, 3-17, 19-29, and 31-35 are now pending in this application, with Claims 1, 14, 29, 34, and 35 being the independent claims. Claims 1, 8, 9, 12, 22, 23, 13-16, and 27-29 have been amended, Claims 2, 18, and 30 have been canceled, and Claims 34 and 35 are newly presented herein. No new matter is believed to have been added.

Initially, Applicants would like to gratefully acknowledge Examiner Bassinger's indication that Claims 2, 3, 9-13, 15-18, 22-28, 30, and 33 are directed to patentable subject matter.

### Objections to the Drawings

The drawings were objected to under 37 C.F.R. § 1.84(p)(5) as failing to show reference numeral 300, which was included in paragraph [0025] of the as-filed application. In response, rather than revise and replace FIG. 3 of the drawings, Applicant has amended paragraph [0025] to delete reference numeral 300. This is the only reference made to this reference numeral in the entire specification, and its removal therefrom does not impact the description.

In view of the foregoing, Applicant requests reconsideration and withdrawal of the drawing objection.

### Objections to the Claims

Claims 7, 12, 15, 16, and 27 were objected to for various minor informalities. In particular, the claims were objected to for allegedly reciting features without proper antecedent basis. Specifically, Claim 7 was objected to because "the UUV docking signal" allegedly has no antecedent basis. Applicants, however, wish to point out that independent Claim 1, from which Claim 7 depends, includes the following recitation, "a controller adapted to receive a UUV docking signal . . . ." Hence, there is clear antecedent basis for "the UUV docking signal" in Claim 7.

As regards Claims 12, it is alleged that the phrases "the electrical port" and "the fuel cell" lack proper antecedent basis. In response, Applicants have amended Claim 12 to depend from Claim 9, and to recite "the secondary generator" rather than "the fuel cell." The phrase "secondary generator" finds antecedent basis in dependent Claim 9. As to the phrase "the electrical port," this phrase finds clear antecedent basis in the first element recited in independent Claim 1 (e.g., "an electrical port adapted to . . .").

Claims 15 and 16 were objected to because the phrase "the charge controller" lacked antecedent basis. In response, Applicants have amended these claims to recite "the controller" rather than "the charge controller." As to Claim 27, it was objected to for reciting "the fuel cell" without antecedent basis, similar to Claim 9. In response, Applicants have amended Claim 27 to depend from Claim 24, and to recite the phrase "the secondary generator" rather than "the fuel cell."

In view of the foregoing, reconsideration and withdrawal of the claim objections is respectfully solicited.

Rejections Under 35 U.S.C. §§ 102 and 103

Claims 1, 5, 6, 7, 8, 14, 20, 21, 29, 31, and 32 were rejected under 35 U.S.C. § 102 as allegedly being anticipated by U.S. Patent No. 6,807,921 (Huntsman), and Claims 4 and 19 were rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Huntsman in view of U.S. Patent No. 6,036,443 (Gorlov). These rejections are respectfully traversed, at least in light of the above amendments.

In particular, Applicants have amended independent Claims 1, 14, and 29 to include the features recited in dependent Claims 2, 18, and 30, respectively, which the Examiner indicated as being patentable. As such, the above-noted rejections have been mooted.

As to newly presented independent Claims 34 and 35, these recite the features of independent Claim 14 and dependent Claims 15 and 16, which the Examiner indicated as being patentable.

In view of the foregoing, reconsideration and withdrawal of the §§ 102 and 103 rejections is respectfully requested.

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Conclusion

Based on the above, independent Claims 1, 14, 29, 34, and 35 are patentable over the citations of record. The dependent claims are also deemed patentable for the reasons given above with respect to the independent claims and because each recite features which are patentable in its own right. Individual consideration of the dependent claims is respectfully solicited.

The other art of record is also not understood to disclose or suggest the inventive concept of the present invention as defined by the claims.

Hence, Applicant submits that the present application is in condition for allowance. Favorable reconsideration and withdrawal of the objections and rejections set forth in the above-noted Office action, and an early Notice of Allowance are requested.

If the Examiner has any comments or suggestions that could place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the below-listed number.

If for some reason Applicant has not paid a sufficient fee for this response, please consider this as authorization to charge Ingrassia, Fisher & Lorenz, Deposit Account No. 50-2091 for any fee which may be due.

Respectfully submitted,

INGRASSIA FISHER &amp; LORENZ

Dated: February 9, 2006By: 

Paul D. Amrozowicz  
Reg. No. 45,264  
(480) 385-5060